



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,991	07/09/2001	Christian Schmidt	MFA-13502/04	6873
25006	7590	06/23/2006	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C			CERVETTI, DAVID GARCIA	
PO BOX 7021			ART UNIT	
TROY, MI 48007-7021			PAPER NUMBER	
			2136	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/900,991	SCHMIDT ET AL.	
	Examiner	Art Unit	
	David G. Cervetti	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-11,13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed April 10, 2006, have been fully considered but they are not persuasive.
2. Claims 1-4, 6-11, and 13-18 are pending and have been examined. Claims 5 and 12 have been cancelled.

Response to Amendment

3. Regarding Applicant's arguments regarding the prior art references, Examiner submits that submitting / communicating data over a telecommunication data is not new (Applicant admitted to this in the response referenced above). Furthermore, Applicant's argument limiting this data to be of a specified type is not persuasive. Examiner further submits Lee (US Patent 7,016,851).
4. Regarding claims 14-18, Examiner submits that Applicant's argument that the data relates to intellectual property is not persuasive.
5. The following prior art was used: Hartman et al. (US Patent 5,758,324, hereinafter Hartman), Smith et al. (US Patent 6,192,407, hereinafter Smith), Light et al. (US Patent 6,192,380, hereinafter Light).

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
7. **Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman, and further in view of Smith and Lee.**

Regarding claims 1 and 8, Hartman teaches a system for communicating data between a user and a receiver over a telecommunications network, said data relating to filing information for application(s) relating to the protection of intellectual property, said system comprising: means for initially registering the user to communicate application data relating to intellectual property over the network to the receiver (column 10, lines 48-51), means for receiving data transmitted over the telecommunication network by the user, said data relating to the intellectual property application (column 11, lines 23-65), means verifying the completeness of the transmitted data from the user (column 6, lines 8-14; mandatory fields in Hartman system guarantee the completeness of submitted application). Hartman does not explicitly disclose to confirm receipt to the user or that the data is of an application on intellectual property. However Smith teaches the using of "Notify on Receipt" option (column 13, lines 19-32) and Lee teaches an intellectual property filing portal (column 6, lines 30-67, column 7, lines 1-67). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teachings of Smith and Lee to notify the reception of the data and to provide for filing of patent applications. One would be motivated to do so in order to confirm delivery when the data is actually received and to allow intellectual property applications to be filed electronically.

Regarding claims 2 and 9, the combination of Hartman, Smith, and Lee teaches wherein said registering means further comprises means for receiving a user selected password from the user over the telecommunication network, and means for storing said password (column 10, lines 47-51 and column 11, lines 36-50; the examiner is

deeming this to be inherent to Hartman system as it would be incapable of verifying the clients passwords without storing the password in some form) and Lee teaches providing access credentials (column 8, lines 1-67).

Regarding claims 3 and 10, the combination of Hartman, Smith, and Lee teaches wherein said telecommunications network comprises the World Wide Web (Hartman, column 6, lines 1-5, Lee, columns 7-8).

Regarding claims 4 and 11, the combination of Hartman, Smith, and Lee teaches wherein said communication means / confirming step comprises the means for transmitting / step of telecommunicating an electronic message from the receiver to the user over the network (Hartman, column 5, lines 1-24, Lee, columns 9-10).

Regarding claims 6-7 and 13, the combination of Hartman, Smith, and Lee teaches wherein said receiving means comprises means for receiving an attached document (in electronic form) in conjunction with the data transmitted to the receiver (Hartman, column 6, lines 15-59, Lee, columns 2-3).

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman and Smith, and further in view of Light.

Regarding claim 14, Hartman teaches a system for communicating data between a user and a receiver over a telecommunications network, said data relating to filing information for application(s) relating to the protection of intellectual property, said system comprising: means for receiving data transmitted over the telecommunication network by the user, said data relating to the intellectual property application (column 11, lines 23-65). Hartman does not expressly disclose storing and making accessible by

Art Unit: 2136

key word or communicating receipt of data to the user. Hartman does provide a search functionality (columns 7-8) and Light teaches the using of a database to store frequently used data (column 4, lines 25-37) and the using of web tags or keyword to retrieve the field from the database and placing it in the form (column 5, line 50 through column 6, line 8) to automatically fill in web pages and Smith teaches the use of "Notify on Receipt" option (column 13, lines 19-32). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teachings of Smith and Light to notify the reception of the data and to automatically fill in web pages. One would be motivated to do so in order to confirm delivery when the data is actually received in order to save time and make it easier for the user to fill web pages with appropriate information automatically.

9. Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman, and further in view of Smith.

Regarding claim 15, Hartman teaches a system for communicating data between a user and a receiver over a telecommunications network, said data relating to filing information for application(s) relating to the protection of intellectual property, said system comprising: means for receiving data transmitted over the telecommunication network by the user, said data relating to the intellectual property application and containing information relating to a variable number of data entries for a data item (column 5, lines 32-65); means for the receiver to transmit a data entry form over the telecommunication network to the user reflecting said number of data entries for said data item (column 6, lines 48-58); means verifying the completeness of the transmitted

Art Unit: 2136

data from the user (column 6, lines 8-14; mandatory fields in Hartman system guarantee the completeness of submitted application). Hartman does not expressly disclose communicating over the telecommunication network receipt of the verified data to the user. However, Smith teaches the use of "Notify on Receipt" option (column 13, lines 19-32). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Smith to notify the reception of the data. One would be motivated to do so in order to confirm delivery when the data is actually received.

Regarding claim 16, the combination of Hartman and Smith teaches wherein said data item comprises applicant identification data (Hartman, column 10, lines 47-51).

Regarding claim 17, the combination of Hartman and Smith does not expressly disclose wherein said data item comprises application priority data. However Smith teaches using the file date as a store-defined attributes in the system store (column 4, lines 54-63). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Smith to include the date of the file in the application data item. One would be motivated to do so in order to enable the system to synchronize the work with very limited knowledge of other factors).

Regarding claim 18, the combination of Hartman and Smith teaches wherein said means for receiving data further comprises means for receiving an attached document in conjunction with said data (Hartman, column 6, lines 48-59)

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for


Art Unit: 2136

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DGC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100